

THE HONORABLE TANA LIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAVIER TAPIA,

Plaintiff,

v.

NAPHCARE, INC., an Alabama Corporation;
PIERCE COUNTY, a political subdivision of
the State of Washington; PAUL PASTOR, in
his personal capacity; ROB MASKO, in his
Personal Capacity; KAREN DANIELS, in her
Personal Capacity; JIM MCLANE, in his
Personal Capacity; SUSANNE MOORE, in her
Personal Capacity; MARSHA BURGESS, in
her Personal Capacity; AMBER H. SIMPLER,
in her Personal Capacity; JEFFREY
ALVAREZ, in his Personal Capacity;
BRADFORD T. MCLANE, in his Personal
Capacity; CORNELIUS HENDERSON, in his
Personal Capacity; ELLIOT WADE, in his
Personal Capacity; CAMERON CARRILLO,

No. 22-cv-01141-TL

**STIPULATION TO ALLOW
LEAVE TO AMEND, STIPULATED
NOTICE TO EXTEND
DEADLINES, AND ORDER**

Caption Continued on Next Page

STIPULATION, STIPULATED NOTICE, AND ORDER
TO EXTEND DEADLINES – 1

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in his Personal Capacity; ELIZABETH WARREN, in her Personal Capacity; DEBRA RICCI in her Personal Capacity; RICK OELTJEN, in his Personal Capacity; DUANE PRATHER, in his Personal Capacity; DARREN NEALIS, in his Personal Capacity; JESUS PEREZ, in his Personal Capacity; MIGUEL BALDERRAMA, in his Personal Capacity; JOHN and JANE DOES 1-10, in their Personal Capacities,

Defendants.

Pursuant to Sections II.G and II.I of the Court’s Standing Order for All Civil Cases (“Standing Order”) and Federal Rule of Civil Procedure 15(a)(2), Plaintiff Javier Tapia (“Plaintiff”) and all named Defendants in this action (“Defendants”) hereby submit this stipulation to: (1) strike Defendants’ current deadline move plead or respond to Plaintiff’s First Amended Complaint (Dkt. 1-2; the “FAC”); (2) allow Plaintiff leave to file a Second Amended Complaint; and (3) allow Defendants’ to move, plead, or otherwise respond to Plaintiff’s Second Amended Complaint within 14 days from the date that Plaintiff files his Second Amended Complaint.

WHEREAS, Defendants and Plaintiff participated in a meet-and-confer on September 13, 2022 pursuant to Section II.I of the Court’s Standing Order in order to determine whether alleged deficiencies in Plaintiff’s FAC, *see* Dkt. No. 1-2, could be cured by amendment.

WHEREAS, Plaintiff agreed during that meet-and-confer to make certain amendments to the FAC and Defendants agreed to allow Plaintiff to amend the complaint pursuant to Federal Rule of Civil Procedure 15(a)(2) without waiving any of their defenses to the proposed Second Amended Complaint.

WHEREAS, Defendants’ current deadline to move, plead, or otherwise respond to the First Amended Complaint is September 21, 2022. *See* Aug. 17, 2022 Min. Entry.

STIPULATION, STIPULATED NOTICE, AND
[PROPOSED] ORDER TO EXTEND DEADLINES – 2

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1 WHEREAS, this stipulated motion is filed in good faith and not for the purposes of
2 delay, and will not alter any other dates or schedules previously set by this Court.

3 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among
4 Defendants and Plaintiff, subject to the Court's approval, that all parties consent to allow
5 Plaintiff leave to file a Second Amended Complaint pursuant to Federal Rule of Civil Procedure
6 15(a)(2). In addition, pursuant to Judge Lin's Standing Order for All Civil Cases, the Parties
7 have agreed to move the following deadlines: Defendants' September 21, 2022 deadline to
8 move, plead, or otherwise respond to the FAC is stricken; Defendants shall have 14 days from
9 the date Plaintiff files his Second Amended Complaint to move, plead or respond to that
10 complaint. The Parties request the Clerk to reset the deadlines as noticed.

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2 DATED: September 15, 2022

s/ David A. Perez, WSBA No. 43959

s/ Ian Rogers, WSBA No. 46584

s/ Dane Westermeyer, WSBA No. 49934

s/ Stephanie Olson, WSBA No. 50100

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Attorneys for Plaintiff

~~PROPOSED~~ ORDER

IT IS SO ORDERED.

Dated this 19th day of September 2022.



Tana Lin
United States District Judge

Presented by:

1 s/ David A. Perez, WSBA No. 43959

2 s/ Ian Rogers, WSBA No. 46584

3 s/ Dane Westermeyer, WSBA No. 49934

4 s/ Stephanie Olson, WSBA No. 50100

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